

Date: July 7, 1995Case Docket No. EMU108DIV(1)

ASSISTANT COMMISSIONER OF PATENTS
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of
Inventor: Dennis C. Liotta, Raymond F. Schinazi and Woo-Baeg Choi
For: ANTIVIRAL ACTIVITY AND RESOLUTION OF 2-HYDROXYMETHYL-5-(5-FLUOROCYTOSIN-
YL)-1,3-OXATHIOLANE

Enclosed are:

- ☒ 12 sheets of drawing (informal) and new formal drawings.
- ☒ True copy of prior application U.S.S.N. 07/851,153, including declaration as originally filed.
- ☒ Preliminary Amendment.
- ☒ Copies of executed Declaration and Power of Attorney; executed Assignment.
- ☒ Request for Filing a Continuation Application under 37 CFR § 1.60
- ☒ Express Mail Label No. TB797342568US

The filing fee has been calculated as shown below:

	(Col. 1)	(Col. 2)
FOR:	NO. FILED	NO. EXTRA
BASIC FEE		
TOTAL CLAIMS	12-20 =	*
INDEP CLAIMS	3-3 =	*
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED		

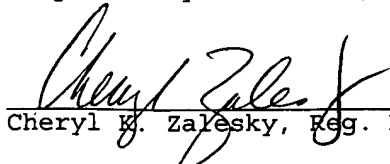
* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

SMALL ENTITY	
RATE	FEE
	\$365
x 11 =	\$
x 38 =	\$
+120 =	\$
TOTAL	\$

OTHER THAN A SMALL ENTITY	
RATE	FEE
	\$730
x 22 =	\$
x 76 =	\$
+240 =	\$
TOTAL	\$730

- ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.
- ☒ A check in the amount of \$ 730.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 11-0855. A duplicate copy of this sheet is enclosed.
- ☒ Any additional filing fees required under 37 CFR 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 11-0855. A duplicate copy of this sheet is enclosed.
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☐ The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

Respectfully submitted,


Cheryl K. Zalesky, Reg. No. 33,052



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Dennis C. Liotta, Raymond F. Schinazi, and Woo-Baeg Choi

Continuation of
Serial No: 07/831,153

Express Mail Label
No. TB797342568US

Filed: June 7, 1995

Date of Deposit:
June 7, 1995

For: ANTIVIRAL ACTIVITY AND RESOLUTION OF 2-HYDROXYMETHYL-
5(5-FLUOROCYTOSIN-1-YL)-1,3-OXATHIOLANE

Box PATENT APPLICATION
Assistant Commissioner of Patents
Washington, D.C. 20231

REQUEST FOR FILING A CONTINUATION APPLICATION UNDER 37 C.F.R. § 1.60

Sir:

This is a request for filing a Continuation application under 37 C.F.R. § 1.60 of pending prior application Serial No. 07/831,153, filed on February 12, 1992, by Dennis C. Liotta, Raymond F. Schinazi, and Woo-Baei Choi for "*Antiviral Activity and Resolution of 2-Hydroxymethyl-5(5-Fluorocytosin-1-yl)-1,3-Oxathiolane*", which is a continuation-in-part of (1) U.S.S.N. 07/659,760 entitled "*Method for the Synthesis, Compositions and Use of 2'-Deoxy-5-Fluoro-3'-Thiacytidine and Related Compounds*", filed on February 22, 1991, by Dennis C. Liotta, Raymond F. Schinazi and Woo-Baeg Choi, which is a continuation-in-part of U.S.S.N. 07/473,318, entitled "*Method and Compositions for the Synthesis of BCH-189 and Related Compounds*", filed on February 1, 1990, by Dennis C. Liotta Woo-Baeg Choi and, (2) a continuation-in-part of U.S.S.N. 07/736,089 entitled "*Method of Resolution and Antiviral Activity of 1,3-Oxathiolane Nucleoside Enantiomers*" filed on July 26, 1991, by

Express Mail Label No. TB797342568US

Continuation of Serial No: 07/851,153

Date of Deposit: June 7, 1995

For: *ANTIVIRAL ACTIVITY AND RESOLUTION OF 2-HYDROXYMETHYL-5(5-FLUOROCYTOSIN-1-YL)-1,3-OXATHIOLANE*
REQUEST FOR FILING A CONTINUATION APPLICATION UNDER 37 C.F.R. § 1.60

Dennis C. Liotta, Raymond F. Schinazi, and Woo-Baeg Choi, which is a continuation-in-part of U.S.S.N. 07/659,760, referenced above.

I hereby verify that the attached papers are a true copy of what is shown in my records to be the above-identified prior application, including the oath or declaration as originally filed.

Enclosed is a copy of the prior application, including the Declaration and Power of Attorney as originally filed, and a Preliminary Amendment. The application includes 1 page of abstract, 55 pages of specification, 9 pages of claims, and 12 sheet of drawings. New formal drawings are also enclosed.

The inventorship for all the claims in this application are the same.

The prior application was assigned of record on April 10, 1992, to Emory University at reel 6128, frame 0088 .

The power of attorney in the prior application is to Cheryl K. Zalesky, Esq. The power appears in the original papers in the prior application.

A check in the amount of \$730.00 is enclosed to cover the filing fee. The filing fee has been calculated on the basis of the claims remaining after entry of the attached Preliminary Amendment. It is believed that this is the proper filing fee since the application will include 3 independent claims and a total of 12 claims after entry of the preliminary amendment.

Express Mail Label No. TB797342568US

Continuation of Serial No: 07/851,153

Date of Deposit: June 7, 1995

For: *ANTIVIRAL ACTIVITY AND RESOLUTION OF 2-HYDROXYMETHYL-5(5-FLUOROCYTOSIN-1-YL)-1,3-OXATHIOLANE*
REQUEST FOR FILING A CONTINUATION APPLICATION UNDER 37 C.F.R. § 1.60

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 11-0855. A duplicate copy of this request is enclosed.

This application is being filed on June 7, 1995, by mailing the application to Assistant Commissioner of Patents, Washington, DC 20231 via the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 C.F.R. § 1.10. The Express Mail Label No. appears in the heading of this paper which is attached to the application papers pursuant to 37 C.F.R. §1.10(b).

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and

Express Mail Label No. TB797342568US


Continuation of Serial No: 07/851,153

Date of Deposit: June 7, 1995

For: *ANTIVIRAL ACTIVITY AND RESOLUTION OF 2-HYDROXYMETHYL-5(5-FLUOROCYTOSIN-1-YL)-1,3-OXATHIOLANE*
REQUEST FOR FILING A CONTINUATION APPLICATION UNDER 37 C.F.R. § 1.60

the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,


Cheryl K. Zalesky
Reg. No. 33,052

Date: June 7, 1995

KILPATRICK & CODY

1100 Peachtree Street


Suite 2800

Atlanta, Georgia 30309-4530

404/815-6439

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this REQUEST FOR FILING A CONTINUATION APPLICATION and any documents referred to as attached therein are being deposited with the United States Postal Service on this date, June 7, 1995, in an envelope as "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, Mailing Label Number TB797342568US, addressed to Assistant Commissioner of Patents, Washington, D.C. 20231.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Dennis C. Liotta, et al.

Serial No.: 08/488,097

Art Unit: 1623

Filed: June 7, 1995

Batch: Z99

For: Antiviral Activity and Resolution of
2-Hydroxymethyl-5-(5-Fluorocytosin-1-yl)-1,3-Oxathiolane

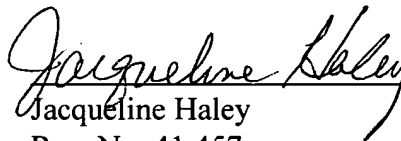
Assistant Commissioner for Patents
Washington, DC 20231

Transmittal of Issue Fee

Sir:

Applicants submit herewith a copy of PTO-85B, a check in the amount of \$635.00 to cover the Issue Fee and ten advance copies of the patent. Please charge any deficiencies in the required fees to Deposit Account No. 11-0980.

Respectfully submitted,


Jacqueline Haley
Reg. No. 41,457

KING & SPALDING
191 Peachtree Street
Atlanta, GA 30303
404-572-3541 (Telephone)
404-572-5145 (Facsimile)